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66307-357-7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	PATENT
	)	
DIAS, Monica <i>et al.</i>	)	GROUP: 1616
	)	
Serial No.: 10/566,210	)	EXAMINER: FISHER, A. L.
	)	
Filed: May 2, 2006	)	CUSTOMER NO. 25269
	)	
BILIQUEID FOAMS, STABLE DISPERSIONS )	)	CONFIRMATION NO. 5445
THEREOF AND A CORRESPONDING		
PROCESS OF MANUFACTURING		

RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 24, 2009

Sir:

Responsive to the Office Action of June 30, 2009 wherein the examiner set forth of restriction requirement among claims 21-33 (Group I invention), claims 34-37 (Group II invention), and claims 38-44 (Group III invention), the applicants elect the Group II invention (claims 34-37).

However, this election is made with traverse. In this regard, the claims of Group I are directed to a biliquid foam, the claims of Group II are directed to a dispersion comprising the biliquid foam as recited in claim 21, and the claims of Group III are directed to a process for preparing the stable dispersion of Group II. The single inventive concept linking all these claims is the presence of a biliquid foam as cited in claim 21.

The examiner has suggested that the biliquid foam is known from Guffogg et al. (WO 03/064024) and it cannot therefore be defined as the "special technical feature" linking the groups of claims.

In particular, the examiner states that Guffogg et al. disclose a biliquid foam comprising an oil phase and an aqueous phase. The foam comprises Etocas 25 or Croduret 50 in the same claimed amounts. The examiner further notes that the exemplified oil phases comprise oils such as fragrance and mineral oil. He further states that the exemplified water phases comprise water and water-alcohol combinations wherein the alcohol is present in this phase in an amount of greater than 65%.

It is, however, submitted that Guffogg et al. do not disclose the biliquid foam as defined in claim 21 of the present invention. Specifically, there is no disclosure in this document of the specific combination of components in the specified amounts as recited in claim 21. The examiner refers to the Examples of Guffogg et al.; however, it is submitted that the Examples of this document fall outside the scope of claim 21 of the present application, not least for the reasons outlined below:

Example 1 does not disclose a biliquid foam having at least 65% of the continuous phase comprising the specific alcohols, glycols or mixture thereof as required by claim 21.

Examples 2, 3, 4 and 5 do not disclose a biliquid foam having from 10% to 98% by weight of a non polar liquid other than a fuel. Instead, these Examples comprises from 80% w/w of diesel fuel.

Example 6 does not disclose a biliquid foam having from 10% to 98% by weight of a non polar liquid other than a fuel. Instead, this Example comprises from 80% w/w of kerosene.

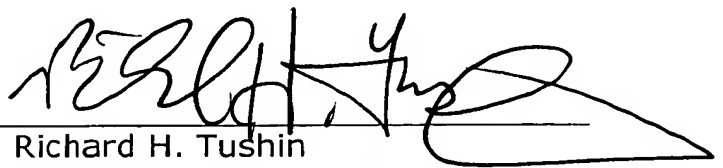
Examples 7, 8, 9 and 10 do not disclose a biliquid foam having at least 65% of the continuous phase comprising the specific alcohols, glycols or mixtures thereof.

It is therefore submitted that the claims of the present invention are linked so as to form a single general inventive concept.

A examination of all the presented claims is requested.

Respectfully submitted,

By:



Richard H. Tushin  
Registration No. 27,297  
Franklin Square, Third Floor West  
1300 I Street, N.W.  
Washington, DC 20005-3353  
(202) 906-8680